

Appl. No. : 09/982,652
Filed : October 17, 2001

REMARKS

The foregoing amendments and the following remarks are responsive to the June 21, 2006 Office Action. Claims 1, 2, 4-7, 22, 23, 25, 26, 28-31, 46, and 47 are amended, Claims 3, 8-21, 24, 27, 32-45, and 48 remain as originally filed, Claims 49-78 are cancelled without prejudice, and new Claims 79-84 are added. Thus, Claims 1-48 and 79-84 are presented for further consideration. Please enter the amendments and reconsider the claims in view of the following remarks.

Response to Rejection of Claims 1-48 Under 35 U.S.C. § 102(b)

In the June 21, 2006 Office Action, the Examiner rejects Claims 1-148 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,774,170 issued to Hite et al. ("Hite").

Claim 1

As described herein, Applicants have amended Claim 1 to recite (emphasis added):

1. A method for displaying a targeted advertisement to a viewer of a display of an audiovisual system in conjunction with displaying a broadcast stream on the display, the method comprising:
 - a. selecting a broadcast stream;
 - b. displaying the selected broadcast stream on the display;
 - c. **receiving a first signal from a viewer control interface indicating a viewer command to the audiovisual system**, wherein the audiovisual system is responsive to the viewer command by initiating a corresponding action;
 - d. **defining a viewer profile of the viewer of the display based on the viewer command**;
 - e. selecting a first advertisement from a plurality of stored advertisements based on the viewer profile of the viewer of the display;
 - and
 - f. displaying the first advertisement on the display.

Applicants submit that amended Claim 1 is supported by various portions of the originally-filed specification, including but not limited to, Figure 4, page 6, lines 7-27, page 7, lines 6-29, and page 9, lines 16-28.

Applicants submit that Hite does not disclose all the limitations of amended Claim 1. For example, Hite does not disclose "receiving a first signal from a viewer control interface indicating a viewer command to the audiovisual system" and "defining a viewer profile of the viewer of the display based on the viewer command," as recited by amended Claim 1. Therefore, Applicants submit that amended Claim 1 is patentably distinguished over Hite. Applicants

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respectfully request that the Examiner withdraw the rejection of Claim 1 and pass Claim 1 to allowance.

Claims 2-24

Each of Claims 2, 9, 10, 14-21, 23, and 24 depends from amended Claim 1, each of Claims 3-8 depends from Claim 2, each of Claims 11-13 depends from Claim 10, and Claim 22 depends from Claim 21. Therefore, each of Claims 2-24 includes all the limitations of amended Claim 1 as well as other limitations of particular utility. Therefore, for at least the reasons stated above with regard to amended Claim 1, Applicants submit that Claims 2-24 are patentably distinguished over Hite. Applicants respectfully request that the Examiner withdraw the rejection of Claims 2-24 and pass these claims to allowance.

Claim 25

As described herein, Applicants have amended Claim 25 to recite (emphasis added):

25. A method for displaying a targeted advertisement to a viewer of a display of an audiovisual system in conjunction with displaying a broadcast stream on the display, the method comprising:

- a. selecting a broadcast stream;
- b. displaying the selected broadcast stream on the display;
- c. displaying at least one advertisement on the display;
- d. **receiving a first signal from a viewer control interface indicating a viewer command to the audiovisual system**, wherein the audiovisual system is responsive to the viewer command by initiating a corresponding action;
- e. **defining a viewer profile of the viewer of the display based on the viewer command**;
- f. selecting a first targeted advertisement from a plurality of stored advertisements based on the viewer profile; and
- g. displaying the first targeted advertisement on the display.

Applicants submit that amended Claim 25 is supported by various portions of the originally-filed specification, including but not limited to, Figure 4, page 6, lines 7-27, page 7, lines 6-29, and page 9, lines 16-28.

Applicants submit that Hite does not disclose all the limitations of amended Claim 25. For example, Hite does not disclose “receiving a first signal from a viewer control interface indicating a viewer command to the audiovisual system” and “defining a viewer profile of the viewer of the display based on the viewer command,” as recited by amended Claim 25. Therefore, Applicants submit that amended Claim 25 is patentably distinguished over Hite.

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Applicants respectfully request that the Examiner withdraw the rejection of Claim 25 and pass Claim 25 to allowance.

Claims 26-48

Each of Claims 26, 33, 34, 38-45, 47, and 48 depends from amended Claim 25, each of Claims 27-32 depends from Claim 26, each of Claims 35-37 depends from Claim 34, and Claim 46 depends from Claim 25. Therefore, each of Claims 26-48 includes all the limitations of amended Claim 25 as well as other limitations of particular utility. For at least the reasons stated above with regard to amended Claim 25, Applicants submit that Claims 26-48 are patentably distinguished over Hite. Applicants respectfully request that the Examiner withdraw the rejection of Claims 26-48 and pass these claims to allowance.

Comments on Amendments to Claims 2, 4-7, 22, 23, 26, 28-31, 46, and 47

Applicants have amended Claims 2, 22, 23, 26, 46, and 47 to correct inadvertent typographical errors. Applicants submit that these amendments do not add new matter to the present application.

Applicants have also amended Claims 4-7 and 28-31, and Applicants submit that these amendments do not add new matter to the present application. For example, these amendments are supported by various portions of the originally-filed specification, including but not limited to, Figure 4, page 6, lines 7-27, page 7, lines 6-29, and page 9, lines 16-28.

Comments on new Claims 79-84

Applicants have added new Claims 79-84, and Applicants submit that these new claims do not add new matter to the present application. For example, these claims are supported by various portions of the originally-filed specification, including but not limited to, Figure 4, page 6, lines 7-27, page 7, lines 6-29, and page 9, lines 16-28.

Summary

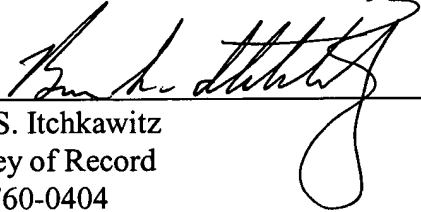
For at least the foregoing reasons, Applicants submit that Claims 1-48 and 79-84 are in condition for allowance, and Applicants respectfully request such action.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

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Respectfully submitted,

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By: 
Bruce S. Itchkawitz
Attorney of Record
(949) 760-0404

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